

### REMARKS/ARGUMENTS

The Office Action mailed February 20, 2008 has been received and the Examiner's comments carefully reviewed. Claims 1, 8, 9, 13, 14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Berman et al. (U.S. Patent No. 5,760,773) (hereinafter "Berman"). Claims 2, 5, 6, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berman. Claims 3, 4, 10, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berman in view of Kupka (U.S. Patent No. 7,055,110). Claims 1, 8 and 13 have been amended. No new matter has been added.

#### Claim Rejections

Claims 1, 8, 9, 13, 14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Berman et al. (U.S. Patent No. 5,760,773) (hereinafter "Berman").

With regard to Claim 1, the Office Action states that Berman teaches "placing a glom widget (action handle '40a') next to a node handle (cursor, '90') associated with current handwriting that is located near a current writing location such that the user selects the glom widget with reduced movement as compared to accessing a toolbar associated with the writing window (Figure 11a). Berman discloses an action handle caret that is displayed with a cursor corresponding to the current writing position that is used to select handwriting and text (column 21, lines 6-25). b. wherein the glom widget (action handle) is represented by a single selectable graphic that includes only two states including a selected state and a non-selected state (column 21, lines 40-67). Specifically, Berman discloses a non-selected state where the action handle is

displayed with the cursor, and a selected state where the user is able to select and drag the action handle to make a selection. c. maintaining the placement of the glom widget while the node handle is active such that the glom widget is statically positioned during the handwriting that is associated with the node handle (column 21, lines 40-45). Berman discloses the action handle is displayed in association with a flashing insertion point continuously, so that the user will readily be able to find the insertion point. d. displaying a glom widget menu having menu items that are associated with handwriting near the current writing location when the glom widget is selected (column 4, lines 35-50). Specifically, Berman discloses the action handle may be tapped to reveal commands in a context menu such as "delete" and "make upper case". While the Applicants respectfully disagree, Claim 1 has been amended to more clearly define the invention.

As amended, Claim 1 recites in part "in response to determining a current handwriting; placing a glom widget next to a node handle that is associated with current handwriting that is located near a current writing location such that the user selects the glom widget with reduced movement as compared to accessing a toolbar associated with the writing window; wherein the glom widget is represented by a single selectable graphic that includes only two states including a selected state and a non-selected state; maintaining the placement of the glom widget next to the node handle such that the glom widget is statically positioned during the handwriting that is associated with the node handle and is statically positioned while the glom widget is displayed and when a glom widget menu is activated; and displaying the glom widget menu having menu items that are associated with handwriting near the current writing location when the glom widget is selected." In contrast, the cited references do not teach maintaining the glom widget

during a current handwriting or displaying the glom widget in response to determining the current writing as recited.

In contrast, Berman teaches displaying an action handle near text that moves with a selection of the text as can be seen in the description of Figure 11 of Berman. This is not the same as maintaining the placement of the glom widget. Berman at column 21, lines 46 to column 22, line 20 states in part "In FIG. 11A, therefore, there is shown an action handle 40a displayed in association with a caret 90. ...In FIG. 11A, no selection is indicated. The **action handle 40a may be considered a "selection drag button"** that is centered beneath the blinking insertion point or cursor 90. ... In FIG. 11B, assume that the pen (or other pointing cursor) 92 is positioned over the action handle 40a and in contact with the display screen. Preferably, the pen cursor changes to an arrow 93 (in this case a "southeast" arrow.) ... In FIG. 11C, the pen is pressed down and the user begins to drag the action handle 40a to the right, towards the words of text "two one". In one embodiment, **the action handle can disappear** and the southeast arrow cursor 93 remain, as shown. Each time the insertion point crosses the midpoint of a cell in which a text letter is centered, the selection highlight adjusts accordingly to indicate selection. In the preferred embodiment, this is indicated by display of the characters in reverse video (white on black). In other words, selection proceeds similar to that employed with the press-and-hold employed with common mouse user interfaces. **Note that touching the stylus outside of the action handle 40a would have initiated handwriting entry.** In FIG.11D, when the desired selection has been established, in this example selection of the word "two" 95, the user lifts the pen (or clicks with the mouse). Preferably, then, the cursor changes back to the pen 92, and a static action handle 40b appears centered inside the selection 95. Optionally. the insertion point

action handle 40a may be retained at the end of the selection, underneath the insertion point 90.”

In other words, Berman teaches that the action handle is used to help perform an action and moves while it is displayed. Berman does not teach that the action handle is static during its display. Berman actually teaches that the action handle can disappear. Additionally, Berman does not teach displaying the action handle next to a node handle and also does not teach displaying the action handle in response to determining a current handwriting location. While Berman may determine a handwriting location, the action handle is not displayed in response to the determination. Since the cited references do not teach displaying a static glom widget in response to a current writing location, Claim 1 is proposed to be allowable. Claims depending from Claim 1 are proposed to be allowable as they depend on a valid base claim.

Claim 8 as amended recites in part “in response to determining the current writing location; placing a glom widget near the current writing location that provides access to commands associated with writing; wherein the glom widget includes only a selected state and an unselected state; maintaining the placement of the glom widget while a node handle that is associated with the writing is active such that the glom widget is statically positioned while the glom widget is displayed and during the writing that is associated with the node handle.” Claim 8 is proposed to be allowable for at least the reasons presented above. Claims depending from Claim 8 are proposed to be allowable as they depend on a valid base claim.

Claim 13 as amended recites in part “in response to determining the current handwriting location, placing a glom widget near the current writing location; wherein the glom widget includes only a selected state and an unselected state; maintaining the placement of the glom

widget while a node handle that is associated with the writing is active such that the glom widget is statically positioned while the glom widget is displayed and during the writing that is associated with the node handle.” Claim 13 is proposed to be allowable for at least the reasons presented above. Claims depending from Claim 13 are proposed to be allowable as they depend on a valid base claim.

**Conclusion**

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.



---

Timothy P. Sullivan  
Registration No. 47,981  
Direct Dial: 206.342.6254

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
206.342.6200

**27488**

PATENT TRADEMARK OFFICE